

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ISAAC MONGIA,

Plaintiff,

v.

CITY OF FRESNO, *et al.*

Defendants.

Case No. 1:23-cv-01234 JLT EPG

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, RECOMMENDING THAT THIS ACTION BE DISMISSED WITHOUT PREJUDICE BASED ON (1) THE *YOUNGER ABSTENTION* DOCTRINE AND (2) PLAINTIFF'S FAILURE TO COMPLY WITH A COURT ORDER AND FAILURE TO PROSECUTE.

(Docs. 19, 20).

Isaac Mongia proceeds *pro se* and *in forma pauperis* in this civil rights action filed under 42 U.S.C. § 1983. (Docs. 3, 18.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 4, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed without prejudice based on the *Younger Abstention* Doctrine and on Plaintiff's failure to comply with a court order and failure to prosecute. (Doc. 20.) Specifically, the findings and recommendations found that Plaintiff failed to respond to the assigned magistrate judge's previous order to show cause and that Plaintiff had not taken any actions in relation to this case since filing his Second Amended Complaint on January 14, 2025. (*Id.* at 2.) The Court served the findings and recommendations on Plaintiff and informed him that objections were due within 30 days. (*Id.* at 5–6.) Plaintiff was also warned that failure to file

1 objections may result in the waiver of rights on appeal. (*Id.* at 6 (*citing Wilkerson v. Wheeler*,
2 772 F.3d 834, 838-39 (9th Cir. 2014).) No objections were filed and the time to do so has passed.

3 According to 28 U.S.C. § 636(b)(1), the Court has conducted a *de novo* review of this
4 case. Having carefully reviewed the file, the Court concludes that the findings and
5 recommendations are supported by the record and proper analysis. Accordingly, the Court

6 **ORDERS:**

- 7 1. The Findings and Recommendations (Doc. 20) issued on April 4, 2025, are **ADOPTED**
8 **IN FULL.**
- 9 2. This action is **DISMISSED** without prejudice based on the *Younger* abstention doctrine as
10 well as Plaintiff's failure to comply with a court order and failure to prosecute.
- 11 3. The Clerk of Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: May 20, 2025


UNITED STATES DISTRICT JUDGE

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